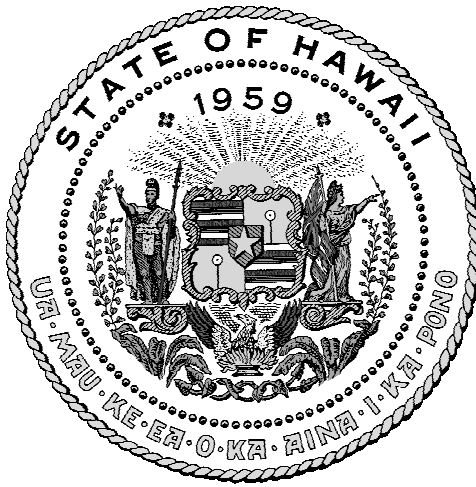


2012 Candidate's Manual

**STATE OF HAWAII
OFFICE OF ELECTIONS**
Scott T. Nago
Chief Election Officer
January 19, 2012



A Message from the Chief Election Officer

Dear Candidate:

Congratulations on your decision to seek public elective office! Your willingness to serve in a position of public trust strengthens the foundations of our democratic system, provides voters with more choices and by demonstrating your desire for public service, you are helping to build a stronger Hawaii.

Please read the manual carefully. It presents basic information about federal, state, and county elections, provides information most often requested by candidates and their staff and if you need further assistance, please do not hesitate to call the Office of Elections at 453-VOTE (8683) or neighbor island residents may call toll free at 1-800-442-VOTE (8683).

As we enter the 2012 Elections, we hope your campaign is challenging, exciting, and successful.

Sincerely,

SCOTT T. NAGO
Chief Election Officer

Note to Candidates

This manual is a reference source. It is not to be used as the authority on the Hawaii election laws or any other laws for individuals or candidates. It is distributed with the understanding that the Office of Elections is not rendering legal advice and therefore the manual is not to be used as a substitute for legal counsel for the individual or candidate using it. In case of conflict with the manual, the law, regulation, or rule will apply.

Readers should consult the United States Constitution, the Hawaii State Constitution, the Hawaii Revised Statutes, the County Charters, Attorney General Opinions, and other sources for a complete and legal basis of the law.

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Important Dates

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Election Dates

Primary Election (7:00 am to 6:00 pm) Saturday, August 11, 2012
General Election (7:00 am to 6:00 pm) Tuesday, November 6, 2012

Deadline to File Nomination Papers

Federal/State/OHA Candidates (4:30 pm) Tuesday, June 5, 2012¹

Primary Election Dates

Last day to register to vote for the Primary Thursday, July 12, 2012
First day to register mail-in absentee ballots Tuesday, June 12, 2012²
Last day to request mail-in absentee ballots Saturday, August 4, 2012
Walk-in absentee voting begins Monday, July 30, 2012
Walk-in absentee voting ends Thursday, August 9, 2012

General Election Date

Last day to register to vote for the General Monday, October 8, 2012
First day to register mail-in absentee ballots Friday, September 7, 2012
Last day to request mail-in absentee ballots Tuesday, October 30, 2012
Walk-in absentee voting begins Tuesday, October 23, 2012
Walk-in absentee voting ends Saturday, November 3, 2012

Special Elections

The regularly scheduled Special Election for the County of Hawaii, County of Maui, County of Kauai, and City and County of Honolulu nonpartisan contest are held in conjunction with the Primary and General Elections.

The regularly scheduled Special Election for Board of Trustees of the Office of Hawaiian Affairs (OHA) is held in conjunction with the General Election.

Other prescribed elections may be held in conjunction with the Primary or General Election as prescribed by law.

¹ The deadline to file nomination papers is 4:30 pm on the date noted above.

² Voters may also request mail-in absentee ballots for the General Election at this time.

2012 Election Calendar

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<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
Candidates	File organizational report with Campaign Spending Commission	Various ³
Candidates	Pick up nomination papers from the Office of Elections or City/County Clerk (HRS §12-2.5)	Wed., February 1, 2012
New Political Parties	File petition to form political party with Office of Elections (HRS §11-62)	Thur., February 23, 2012
Political Parties	File party rules with Office of Elections (HRS §11-63)	Wed., March 14, 2012
Political Parties	Deadline to file political party objections with Office of Elections (HRS §11-62)	Thur., March 22, 2012
Political Parties	Submit names of precinct officials to the Chief Election Officer (HRS §11-72)	Thur., April 5, 2012
Political Parties	File party officers with Office of Elections (HRS §11-64)	Sat., May 12, 2012
Candidates and OHA Candidates	Last day to file nomination papers for the Primary Election and OHA Election with Office of Elections or City/County Clerk (HRS §12-6)	Tues., June 5, 2012

³ The Organizational Report must be filed within ten days of filing nomination papers for office or within ten days of the date the candidate or candidate's committee receives contributions or makes expenditures that amount to more than \$100 in the aggregate during the applicable election period, whichever occurs first.

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
Candidates	Submit request to withdraw from the Primary Election for any reason to Office of Elections or City/County Clerk (HRS §11-117)	Wed., June 6, 2012
Candidates, Parties, and Voters	File written objections to nomination papers for Primary Election with the Office of Elections or City/County Clerk (HRS §12-8)	Tue., June 12, 2012
Voters	Request absentee mail ballots for Primary and/or General Election from City/County Clerk (HRS §15-4)	Tues., June 12, 2012
City and County Candidates	File City and County financial disclosure statement with the City Clerk (ROH §3-8.4(b)(1))	Wed., June 20, 2012
Candidates	Submit request to withdraw from Primary Election for reasons of ill health to Office of Elections or City/County Clerk (HRS §11-117)	Tue., June 22, 2012
City/County Clerks Office of Elections	Mail Primary Election absentee ballots to overseas voters	Wed., June 27, 2012
Voters	Last day to register to vote for the Primary Election with City/County Clerk (HRS §11-24)	Thur., July 12, 2012
Political Parties	Submit names of poll watchers for Primary AB Walk to Office of Elections or County Clerk (HRS §11-77)	Fri., July 20, 2012
State Candidates	File candidate financial disclosure forms with State Ethics Commission (HRS §84-17)	Mon., July 23, 2012
City/County Clerks	Open Primary Election walk-in absentee polling places (HRS §15-7)	Mon., July 30, 2012
Candidates	Last day to file 1st Preliminary Primary Election report with Campaign Spending Commission (HRS §11-334)	Tues., July 31, 2012

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
Candidates	Last day to file 2nd Preliminary Primary Election report with Campaign Spending Commission (HRS §11-334)	Wed., August 1, 2012
Political Parties	Submit names of poll watchers for the Primary Election to Office of Elections or County Clerk (HRS §11-77)	Wed., August 1, 2012
Voters	Last day to request absentee mail ballots for Primary Election from City/County Clerk (HRS §15-4)	Sat., August 4, 2012
Candidates	Last day to file Primary Election Late Contribution Report with Campaign Spending Commission (HRS §11-338)	Wed., August 8, 2012
Independent Presidential Candidates	Last day to file presidential petitions (HRS §11-113)	Wed., August 8, 2012
Voters	Last day to vote at Primary Election walk-in absentee polling places (HRS §15-7)	Thur., August 9, 2012
	PRIMARY ELECTION (HRS §12-2)	Sat., August 11, 2012
Candidates, Parties, and Voters	File complaint on contests for cause in Primary Election with Hawaii State Supreme Court (HRS §11-173.5)	Mon., August 20, 2012
City/County, House, and Senate Clerk	Submit Constitutional Amendment questions, County Charter Amendment questions, and County Initiative questions to the Office of Elections (HRS §11-119)	Thu., August 23, 2012
Candidates	Last day to file Final Preliminary Election report with Campaign Spending Commission (HRS §11-334)	Fri., August 31, 2012
Candidates	Last day to file expense report on use of public funds in Primary Election with Campaign Spending Commission (HRS §11-433)	Fri., August 31, 2012

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
OHA Candidates and Voters	File written objections to nomination papers for OHA Election with the Office of Elections or City/County Clerk (HRS §12-8)	Fri., September 7, 2012
Parties	Last day to submit names and addresses of nominees for presidential elector and alternates (HRS §14-21)	Fri., September 7, 2012
Parties	Last day to certify nominees for presidential and vice presidential candidates (HRS §14-21)	Fri., September 7, 2012
Voters	Request absentee mail ballots for General Election from City/County Clerk (HRS §15-4)	Fri., September 7, 2012
Candidates	Submit request to withdraw from General/OHA Election for reasons of ill health to Office of Elections or City/County Clerk (HRS §11-117)	Mon. September 17, 2012
City/County Clerks Office of Elections	Mail General Election absentee ballots to overseas voters	Sat., September 22, 2012
Voters	Last day to register to vote for the General Election with City/County Clerk (HRS §11-24)	Mon., October 8, 2012
Political Parties	Submit names of poll watchers for General AB Walk to Office of Elections or County Clerk (HRS §11-77)	Sat., October 13, 2012
OHA Candidates	File candidate financial disclosure forms with State Ethics Commission (HRS §84-17)	Wed., October 17, 2012
City/County Clerks	Open General Election walk-in absentee polling places (HRS §15-7)	Tues., October 23, 2012
Political Parties	Submit names of poll watchers for General Election to Office of Elections or County Clerk (HRS §11-77)	Sat., October 27, 2012

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
General and OHA Candidates	Last day to file Preliminary General Election report with Campaign Spending Commission (HRS §11-334)	Mon., October 29, 2012
Voters	Last day to request absentee mail ballots for General and OHA Elections from City/County Clerk (HRS §15-4)	Tues., October 30, 2012
Voters	Last day to vote at General Election walk-in absentee polling places (HRS §15-7)	Sat., November 3, 2012
Candidates	Last day to file General Election Late Contributions Report with Campaign Spending Commission (HRS §11-338)	Mon., November 5, 2012
	GENERAL ELECTION (State Constitution, Article II, Section 8)	Tues., November 6, 2012
Candidates, Parties, and Voters	File complaint on contest for cause in General and/or OHA Elections with Hawaii State Supreme Court (HRS §11-174.5)	Mon., November 26, 2012
Candidates	Last day to file Final Election Period report with Campaign Spending Commission (HRS §11-334)	Thur., December 6, 2012
Candidates	Last day to file expense report on use of public funds in General Election with Campaign Spending Commission (HRS §11-433)	Thur., December 6, 2012
Candidates	Last day to file final Primary and General Application for Public Funds with Campaign Spending Commission (HRS §11-430)	Thur., December 6, 2012
Electors and Alternates	Electoral College (HRS §14-26)	Mon., December 17, 2012
Candidates	Last day to file Supplemental report on deficit/surplus funds with Campaign Spending Commission (HRS §11-334)	Thur., January 31, 2013

<u>Subject</u>	<u>Event/Deadline</u>	<u>Date</u>
State (Office of Elections)	Determine political party disqualifications (HRS §11-65)	Wed., March 6, 2013

HRS	= Hawaii Revised Statutes	ROH	= Revised Ordinances of Honolulu
OHA	= Office of Hawaiian Affairs	§	= Section

General Information

3

Voter Registration Qualifications

Pursuant to the Constitution of the State of Hawaii, Article II, Section 1, a voter registration applicant must be:

- A citizen of the United States;
- A resident of the State of Hawaii; and
- At least sixteen (16) years of age.

Note: *Hawaii law allows individuals to pre-register at the age of sixteen (16), but must be eighteen (18) years old by election day to vote.*

Wikiwiki Voter Registration

The Wikiwiki *Affidavit on Application for Voter Registration* is a self-subscribing affidavit designed to make voter registration more accessible and convenient to the residents of Hawaii. Completing an affidavit and mailing it directly to the Office of City/County Clerk allows a person to register to vote.

Wikiwiki affidavits are available at the following locations:

- <http://www.hawaii.gov/elections>
- Telephone Books
- All Public Libraries
- All U.S. Post Offices
- Office of the City/County Clerk
- Most State Agencies
- Satellite City Hall Locations

Re-Registration

If you are already a registered voter, but have moved or changed your name since the last election, you will need to re-register by completing a Wikiwiki Voter Registration Form (see *Wikiwiki Voter Registration* above for locations where forms are available).

Absentee Voting

Section 15-2, Hawaii Revised Statutes (HRS), allows any person registered to vote in the State of Hawaii to cast an absentee ballot by mail or in person.

Absentee Walk

To vote an absentee ballot in person, you must visit an Absentee Polling Place established by the Office of the City/County Clerk in the county in which you are registered to vote.

Absentee Mail

To vote an absentee mail ballot you must submit an *Application for Absentee Ballot* to your local City/County Clerk. Additionally please note the following:

- Ballots for the Primary and General Election may be requested on the same form.
- You may indicate two (2) forwarding addresses if your address will differ from the Primary to General Election.
- If there is a chance your ballot will reach your forwarding address before you arrive, please mark the box, “Hold for Arrival” on your Application for Absentee Ballot.
- All absentee ballots must be received by the City/County Clerk no later than the close of polls on election day (6:00 pm).

Admission to the Polling Place

A candidate may vote, if registered to vote in that precinct, and observe the voting process to see that voting is progressing correctly and fairly.

Candidates should identify themselves to the Precinct Chairperson when entering the polling place and should refer all questions and complaints to the Precinct Chairperson.

Prohibited Activities

Campaign activities for the purpose of influencing votes are prohibited within the polling place and within an area of 200 feet from the perimeter of the polling place and its appurtenances on election day (HRS §§11-132 and 19-6).

Automobiles and other vehicles with political signs and stickers may remain within the 200 foot perimeter of the polling place only during the time that the owner (voter) is actually voting.

Other activities not allowed within the 200 foot perimeter of the polling place on election day:

- Political signs on public or private property;
- Political clothing, including armbands, hatbands, shirts, muumuus, dresses, and campaign buttons;
- Campaign pamphlets or other literature;
- Public address systems and other public communication media;

- Motor caravans or parades; and
- Entertainment troupes or free food and/or services.

Candidates and their supporters are urged to check the 200 foot perimeter around each polling place and its appurtenances prior to election day to ensure compliance with the law. Regional election maps which depict the 200 foot perimeter around each polling place and its appurtenances are available at the Office of Elections and the respective Office of the County Clerk. A map will also be posted at the polling place prior to the opening of the polls.

Poll Watchers and Activities of a Poll Watcher

An authorized poll watcher may observe the conduct of the election in the polling place after presenting official identification to the Precinct Chairperson. Poll watchers are limited to the following activities:

- Only one poll watcher (per party) at a time is permitted in a polling place.
- Designated alternate poll watchers may relieve a poll watcher.
- Each poll watcher may call any observed violation of the election laws to the attention of the Precinct Chairperson. If the violation is not corrected, the poll watcher may appeal to the Clerk of each county.
- When there is a reasonable break in activities, the poll watcher may turn the pages of the poll book with permission from the Precinct Chairperson.
- Poll watchers may not interfere with the orderly process of the election.
- Poll watchers may not engage in any kind of activity for the purposes of influencing votes.
- Poll watchers may not use the polling place telephones.

Persons Not Able to Serve as Precinct Officials

Relatives of candidates (fathers, mothers, husbands, wives, reciprocal beneficiaries, sons, daughters, brothers, and sisters) are prohibited from serving as precinct officials where the candidate's name appears on the ballot (HRS §11-72).

Advertising

To the extent authorized by law, all political advertisements authorized by a candidate or a candidate's committee shall contain the name and address of the candidate, committee, or party paying for the advertisement. If the advertisement is not authorized by a candidate or a candidate's committee, the advertisement shall contain the name and address of the person paying for the advertisement (HRS §11-391).

In addition to this requirement, no candidate or committee shall cause or submit any advertisement in support of a candidate or against an opponent, except under the following conditions:

Advertisements Authorized by the Candidate

The advertisements must contain a prominent notice that the advertisement is approved and authorized by the candidate, except that advertisements paid for by the candidate or candidate's committee do not need to include the notice of approval and authority.

Advertisements Not Authorized by the Candidate

The advertisements must contain a prominent notice that the advertisement is published, broadcast, televised, or circulated without the approval and authority of the candidate.

All candidates are urged to check their respective county ordinance(s) regulating campaign signs and advertisements.

The Hatch Act

The Hatch Act restricts the political activity of executive branch employees of the federal government, the District of Columbia D.C., and certain state and local agencies. In 1993, Congress passed legislation that substantially amended the Hatch Act, allowing most federal and D.C. employees to engage in many types of political activity. These amendments did not change the provisions applying to state and local employees.

With the 1993 amendments, most federal and D.C. employees are now permitted to take an active part in political management or in political campaigns. However, some federal agencies and categories of employees continue to be prohibited from engaging in political activity.

The Hatch Act applies to four (4) categories of civilian public employees (see next page for restrictions).

If you are unsure about your employee status, the following is recommended:

- Check with your employer regarding your eligibility; and
- Contact the Federal Hatch Act Unit.

Hatch Act Unit
U.S. Office of Special Counsel
1730 Main Street, North West, Suite 300
Washington D.C. 20036-4505
Phone: 1-800-854-2824
<http://www.osc.gov>

Hatch Act Restrictions for Civilian Public Employees

	Categories of Civilian Employees	These Employees May Not
1	Most persons employed by the United States Federal Government.	<ul style="list-style-type: none"> • Be a candidate for public office in partisan elections; • Use their official authority or influence to interfere with an election; • Engage in partisan political activity while on duty, while in any government office, while wearing an official uniform, or while using a government vehicle; • Solicit, accept, or receive political contributions under most circumstances; or • Knowingly solicit or discourage the partisan political activity of any person who has business before the agency.
2	Employees of the United States Federal Government who were specifically excluded from provisions of the 1993 amendments to the Act that eased restrictions on the other categories of federal employees.	Same Restrictions as Category 1 plus they are prohibited from actively engaging in any partisan political efforts.
3	Federal employees who are political appointees serving at the pleasure of the President of the United States.	Same Restrictions as Category 1 plus pay for costs associated with such activity from U.S. Treasury funds; or Act contrary to any additional restrictions imposed by the Administration on political appointees.
4	Employees of State or local government who are principally employed in connection with an activity which is funded in whole or in part by loans or grants made by the United States or a federal agency.	<ul style="list-style-type: none"> • Be a candidate for public office in partisan elections; • Use their official authority or influence to interfere with an election; or • Directly or indirectly coerce contributions from subordinates in support of a political party or candidate.

Primary Election

Hawaii's Primary Election is held on the second Saturday of August in every even numbered year. The next Primary Election will be held on August 11, 2012 (HRS §12-2).

The Primary Election is a nomination process to select candidates to represent political parties and nonpartisans in the General Election. The Primary Election replaces the traditional political party caucuses and conventions where each political party chooses a slate of candidates to run in the General Election. In a Primary Election, the voters, rather than the parties, choose the party or nonpartisan candidates who will run for office in the General Election.

Hawaii conducts a "single-party" Primary Election. Voters do not declare their party preference prior to voting. Voters receive a ballot that includes political party and nonpartisan affiliated candidates; however may only vote for one (1) affiliation.

Also included on the ballot is a section containing the "Special Nonpartisan Contests" which include the County of Hawaii, County of Maui, County of Kauai, and City and County of Honolulu contests.

Ballot Access to the Primary and Special Elections

Political Party Candidates

Individuals who wish to appear on the ballot as a candidate of a specific political party must belong to a qualified political party in Hawaii. Currently, the Democratic, Libertarian, and Republican parties are qualified in Hawaii. Partisan candidates appear on their respective party ballots in the Primary Election.

New political parties have until 4:30 pm on February 23, 2012 to file a petition to qualify for the 2012 Elections. Should additional parties become qualified; a revised list of parties will be added to this manual.

Nonpartisan Candidates

Individuals not affiliated with any political party in Hawaii may run as nonpartisan candidates in any partisan office. Nonpartisan candidates will appear in the nonpartisan section of the ballot in the Primary Election.

County Candidates

All elections in the County of Hawaii, County of Maui, County of Kauai, and City and County of Honolulu are nonpartisan elections. Individuals who wish to run for county offices will appear on the “Special Nonpartisan Offices” section of the ballot.

In the County of Maui and City and County of Honolulu, if there are two (2) or fewer candidates for a Mayoral or Council race, the names of the candidates shall appear on the ballot for the Second Special Election held in conjunction with the General Election. The names of the candidates will not appear on the Primary Election ballot.

General Election

The General Election is held on the first Tuesday after the first Monday in November in an even-numbered year. The next General Election will be held on November 6, 2012 (Hawaii State Constitution, Article II, Section 8).

The General Election is held after the Primary Election to determine which of the candidates nominated in the Primary will take office. To be placed on the General Election ballot, individuals must be nominated in a Primary or Special Primary Election.

Ballot Access to the General and Special Election

Candidates are nominated for the General Election as follows:

Political Party Candidates

The person(s) receiving the greatest number of votes at the Primary Election as a candidate of a party for an office shall be the candidate of the party in the General Election, but not more candidates for a party than there are offices (seats) to be elected (HRS §12-41(a)).

Nonpartisan Candidates

To qualify for the General Election, nonpartisan candidates must meet one of the following qualifications:

- Receive at least ten percent (10%) of the total votes cast for the office for which the person is a candidate at the Primary Election; OR
- Receive a vote equal to the lowest vote received by the partisan candidate who was nominated in the Primary Election for that office.

If more nonpartisan candidates qualify to run in the General Election than there are offices (seats) available, they shall be certified as candidates receiving the highest number of votes, but not more candidates than there are offices (seats) to be elected (HRS §12-41(b)).

Note: *Nonpartisan qualification provisions for the General Election noted above does not apply to candidates running for County of Hawaii, County of Maui, County of Kauai, and City and County of Honolulu offices.*

County of Hawaii Candidates

If no candidate receives a majority of the votes cast for the office in the First Special Election, held in conjunction with the Primary Election, a Second Special Election will be held in conjunction with the General Election. The two (2) candidates who receive the most votes will appear on the Second Special Election ballot. The candidate who receives the highest number of votes at the Second Special Election is deemed elected.

County of Maui Candidates

- **At the First Special Election:** The names of all candidates for each council seat shall be placed on the ballot; provided, that any council seat with two (2) or fewer candidates, the names of the candidates shall appear only on the ballot for the Second Special Election.

For any council seat with three (3) or more candidates, the names of the two (2) candidates receiving the highest number of votes for each council seat in the First Special Election shall be placed on the ballot for the Second Special Election; provided, that if two (2) or more candidates tie for the highest number of votes received in the First Special Election, their names shall be placed on the ballot for the Second Special Election; and further provided, that if a single candidate receives the highest number of votes in the First Special Election, and two (2) or more candidates tie for the second highest number of votes and candidates tied for the second highest number of votes shall also be placed on the ballot for the Second Special Election.

- **At the Second Special Election:** The candidates receiving the highest number of votes for each council seat shall be deemed elected. If there is no more than one (1) candidate for a council seat, such person shall be deemed elected regardless of the number of votes received.

County of Kauai Candidates

- **Office of the Mayor and Prosecuting Attorney:** If no candidate receives a majority (50% plus one) of the votes cast for the office in the First Nonpartisan Election, held in conjunction with the Primary Election, a Second Nonpartisan Election will be held in conjunction with the General Election. The two (2) candidates who receive the most votes for the office will appear on the Second Nonpartisan Election ballot. The candidate who receives the highest number of votes at the General Election is deemed elected.
- **Offices of At-Large Councilmembers:** The candidates receiving the highest number of votes shall be elected to fill each at-large council office provided the candidate(s) receive at least thirty percent of all votes cast for all at-large council offices in the First Nonpartisan Election, held in conjunction with the Primary Election.

If any at-large council office remains to be filled after the First Nonpartisan Election, two (2) candidates for each vacant at-large council office shall be placed on the ballot for the Second Nonpartisan Election. The names of the candidates receiving the highest number of votes cast in the First Nonpartisan Election, other than the name of any candidate elected after the First

Nonpartisan Election, shall be placed on the ballot until a sufficient number of candidates are on the Second Nonpartisan Election ballot as provided in this subsection.

At the Second Nonpartisan Election, the candidates receiving the highest number of votes for each vacant at-large office shall be elected.

City and County of Honolulu Candidates

If no candidate receives a majority (50% plus one) of the votes cast for the office in the First Special Election, held in conjunction with the Primary Election, a Second Special Election will be held in conjunction with the General Election. The two (2) candidates who receive the most votes will appear on the Second Special Election ballot. The candidate who receives the highest number of votes at the Second Special Election is deemed elected. This applies to all contests except for filling vacancies.

Unopposed Candidates in the General and Special Election

The names of unopposed candidates who meet the specified requirements of law will not appear on the General Election Ballot.

State Senate or State House of Representative Candidates

Candidates for state legislative offices who are nominated in the Primary Election and are unopposed in the General Election shall be declared duly and legally elected to the office sought after the Primary Election regardless of the number of votes received by that candidate (Article III, Section 4, Hawaii State Constitution).

County of Hawaii Candidates

A candidate who received the majority of votes cast (50% plus one) or is unopposed for the office in the First Special Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election.

County of Kauai Candidates

- **Office of the Mayor and Prosecuting Attorney:** A candidate who received the majority of votes cast (50% plus one) in the First Special Election held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election.
- **Offices of At-Large Councilmembers:** A candidate(s) who received at least thirty percent (30%) of all votes cast for all at-large council office in the First Nonpartisan Election, held in conjunction with the Primary Election, is deemed elected.

City and County of Honolulu Candidates

A candidate who received the majority of votes cast (50% plus one) in the First Special Election held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election.

A candidate who received the majority of votes cast (50% plus one) in the First Special Election held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election.

Candidate Filing Process

5

Purpose

The Candidate Filing Process enables qualified individuals to have their name appear on the Primary Election ballot or the Special Election ballot.

Qualification for Office

Qualifications vary according to the elective office sought. Four (4) qualifications apply to all offices. Each candidate must:

- Be a citizen of the United States;
- Be at least eighteen (18) years of age;
- Be a resident and registered voter of the State of Hawaii; and
- If applicable, provide final discharge for any felony conviction.

Qualifications for specific offices are found at the end of this manual.

Residency Requirements

State Elective Offices

A candidate running for state elective office with a district residency requirement must be a qualified voter of the district from which he/she seeks election.

City/County Elective Offices

Candidates running for City/County offices should check their respective charter for county-specific district residency requirements.

Felons

Under the “Uniform Act on Status of Convicted Persons” a person sentenced for a felony may not become a candidate for or hold public office from the time of the person’s sentence until the person’s final discharge (HRS §831-2). A felon must receive and present his/her final discharge papers before he/she is eligible to file nomination papers.

Nomination Papers

All candidates for elective office must file nomination papers to appear (be listed) on the State of Hawaii’s ballot (HRS §12-3).

Nomination papers are available at the following offices:

- Office of Elections: Nomination papers for federal and state elective offices and the Special Election for the Office of Hawaii Affairs (OHA) Board of Trustees, are available at the Office of Elections.
- Office of the County Clerk of the Counties of Hawaii, Maui, and Kauai: Nomination papers for all federal, state, and county elective offices on Hawaii, Maui, and Kauai are available at the respective Office of the County Clerk. Candidates residing on Molokai or Lanai should request nomination papers from the Office of the County Clerk, County of Maui.
- Office of the City Clerk of the City and County of Honolulu: Nomination papers for City and County of Honolulu elective offices are only available at the Office of the City Clerk.

Note: *Nomination papers for County offices are only available from the respective County.*

Candidates may take out more than one (1) set of nomination papers if they have not decided which office to run for. However, candidates, may not file nomination papers for more than one (1) party or for more than one (1) office; nor shall any person file nomination papers both as a party candidate and as a nonpartisan candidate (HRS §12-3). Candidates do not need to return nomination papers to the office that issued the nomination papers if the candidate decides not to run for that elective office.

The Office of Elections and the Offices of the City/County Clerk will try to provide candidates with as much assistance as possible; however it is the candidate's responsibility to fulfill all of the requirements. To this end, candidates are advised to file nomination papers early and to allow himself or herself ample time to comply with all of the filing requirements.

Changes to Nomination Papers

New nomination papers are required if the candidate desires to change the candidate's name, the office or district sought, or the party affiliation. Filing requirements and deadlines remain unchanged.

Incomplete or Altered Nomination Papers

Nomination papers which are incomplete (does not contain all of the required certifications, signatures, and requirements of HRS §12-3) or which contain alterations or changes made by anyone other than the Chief Election Officer or City/County Clerk shall be void and will not be accepted for filing.

Lost Nomination Papers

Candidates who lose their nomination papers should contact the office that issued the nomination papers for another set. Candidates are responsible for acquiring the required number of signatures on the reissued nomination papers. Filing requirements and deadlines remain unchanged.

Signature Requirements

Prior to being filed, nomination papers must be signed by a specific number of properly registered voters who are qualified to vote for the candidate. The candidate is responsible for ensuring that there are sufficient signatures of qualified voters on his/her nomination papers. The number of required signatures varies according to the office sought. See Qualifications for Office at the end of this manual for specific signature requirements.

To be valid, each signatory:

- Must include name, signature, date of birth, last four digits of their social security number, and residence address for verification (HRS §12-3(a)(5)).

Note: *Mailing addresses will not be accepted in place of a residence address.*

- Must be registered to vote in the district from which the candidate seeks election; and

Note: *Voter registration affidavits that have not been entered into the voter register by the clerk shall not be considered or accepted when determining whether a signatory is eligible to sign a candidate's nomination paper (HRS §12-4(b)).*

- May sign nomination papers for only one (1) candidate for a particular elective office if there is only one (1) seat available.

Note: *If more than one seat is available for election, a signatory may sign as many nomination papers as there are available seats (HRS §12-4(a)).*

Candidates are advised to file their nomination papers early and to obtain more signatures than is required in anticipation of invalid or unqualified signatories. Once nomination papers are filed and the filing fee is accepted, candidates will not be allowed to add more signatures to their nomination papers.

Withdrawal of Signatures

Voters may withdraw their signature from a candidate's nomination papers by providing written notice to the Chief Election Officer or City/County Clerk, in the case of a county office, anytime before the candidate's nomination paper is filed. State law also requires that the notice of withdrawal must be received by the Chief Election Officer or City/County Clerk no later than 4:30 pm on the fourth business day prior to the close of filing. Any request received after the candidate's nomination paper is filed or after the fourth business day prior to the close of filing will not be accepted.

The written notice must include the voter's name, social security number, residence address, date of birth, the voter's signature, the name of the candidate, and a statement that the voter wishes to remove the voter's signature from the candidate's nomination papers. The candidate shall be sent written notice, within 24 hours of receipt of a request,

that the voter has withdrawn his/her signature from the candidate's nomination papers and the voter's signature will not be counted.

Filing of Nomination Papers

Candidates must file nomination papers at the office of issuance. The filing deadline for regular federal, state, and county elections, Special Primary or Special Elections held in conjunction with the Primary Election, and Office of Hawaiian Affairs is:

4:30 pm, Tuesday, June 5, 2012

It is recommended that all candidates file their nomination papers early. State law prohibits exceptions or extensions to the filing deadlines.

Certification by Candidates

All of the certifications listed below, except for the Oath of Loyalty/Affirmation which must be taken before a notary public officer authorized by law to administer oaths, must be certified by each candidate by self-subscribing oath.

All Candidates

Under HRS §19-3.5, any person who knowingly takes an oath prescribed or authorized by law and willfully makes any false statement of fact while under oath therein shall be guilty of voter fraud which is a Class C felony punishable by up to five (5) years imprisonment and/or a \$10,000 fine.

Each candidate must certify, by signing a self-subscribing oath on the nomination papers that he/she:

- Will qualify under the law for the office sought;
- Has determined that all of the information on the nomination papers is true and correct, except for the information provided by the registered voters who signed the nomination papers (signatories); and
- Is in compliance with Sections 831-2, Hawaii Revised Statutes (HRS) (Rights Lost) and 831-2, HRS (Dealing with Felons).

Note: *Candidates who have not received final discharge for a felony conviction are ineligible to be candidate for public elective office in Hawaii (HRS §12-3).*

Partisan Candidates

Each partisan candidate must also certify, by signing a self-subscribed oath on the nomination papers, that he/she is a member of the political party listed on the nomination papers (HRS §12-3).

Note: *Candidates who are not bona fide members of a political party may be challenged and disqualified on that basis.*

County Candidates

Each county candidate must also certify, by signing a self-subscribed oath on the nomination papers, that he/she has complied with the relevant provisions of the applicable county charter and county ordinances pertaining to elected officials.

Oath of Loyalty/Affirmation

Each candidate must take and subscribe to a prescribed written Oath of Loyalty or Affirmation before a notary public or a public officer authorized by law to administer oaths (HRS §12-7). The Oath of Loyalty or Affirmation is printed on the nomination papers and may be completed before or at the time of filing. Candidates must provide the notary public with an identification card containing the person's picture and signature (e.g. drivers license or state I.D.) when the Oath of Loyalty or Affirmation is subscribed to before the notary public.

Resignation from Office

Elected state or county public officials must resign from the office currently held before being eligible as a candidate for another state or county elective office. This applies only if the term presently held is not normally scheduled for election in the same year as the office sought. The candidate must resign from the office currently held before filing nomination papers (Hawaii State Constitution, Article II, Section 7).

Filing Fee

The filing fee, which varies with the office sought, must be paid by cash, money order, or certified/cashier's check. Personal or campaign checks are not accepted. Additionally, the filling fee is non-refundable (HRS §11-117). See Qualifications for Office at the end of this manual for the specific filing fees. Certified/cashier's checks or money orders should be made payable to:

State of Hawaii	Office of Elections
County of Hawaii Candidates.....	Director of Finance
County of Maui Candidates	County of Maui
County of Kauai Candidates	Director of Finance
City and County of Honolulu Candidates	City and County of Honolulu

Candidates who run for a state or federal office and file their nomination papers in the Counties of Hawaii, Maui, or Kauai are required to pay their filing fee by money order or certified/cashier's check.

Discounted Filling Fee

Candidates for state and county offices that agree to abide by the State's voluntary campaign expenditure limits may receive discounted filing fees by filing an Affidavit to Voluntarily Agree with Campaign Expenditure Limits with the Campaign Spending Commission prior to or at the time of filing nomination papers with the Chief Election Officer or City/County Clerk.

To receive the discounted filing fee, the candidate must provide the Chief Election Officer or the City/County Clerk with a certified copy of the affidavit at the time of filing (HRS §12-6).

Note: *Candidates who do not have a certified copy of the affidavit are advised that a delay may occur during filing, while the affidavit is certified by the Campaign Spending Commission.*

Candidates Who Agree to Comply With and Exceed the Spending Limits

A candidate who agrees to the expenditure limit, but subsequently exceeds their expenditure limit must pay the full filing fee and notify all opponents, the Chief Election Officer, and the Commission by telephone and in writing the day the expenditure limits are exceeded. The candidate must also notify all contributors within 30 days of exceeding the limit. Notification to contributors must include an announcement that a tax deduction based on their contribution is no longer available (HRS §11-426).

Candidates Who Are Indigent

Candidates who declare themselves indigent via an affidavit may have the filing fee waived. The declaration must be accompanied by a petition signed by registered voters who constitute (1/2 %) of the total voters registered at the last preceding General Election in the district from which the indigent person seeks election (HRS §12-6). Indigent candidates must file nomination papers and comply with other filing requirements.

Candidate Names on Ballot

Each candidate must designate the name that he/she wishes to appear on the ballot, including Hawaiian and/or English equivalents or nicknames, at the time of filing.

Each candidate is allowed a maximum of 27 characters on the ballot for his/her name. The 27 characters include all letters, blank spaces, and punctuation marks. Titles are not permitted as part of the candidate's ballot name (HAR §2-52-4).

All candidate's names will be in the format prescribed by the Office of Elections to ensure the consistency and equality. The Chief Election Officer is authorized to confirm all names printed on the ballot to the format prescribed in Section 2-52-4, Hawaii Administrative Rules (HAR).

LAST NAME, First Name M.I., Jr. (Nickname)

Candidates verify and confirm the correct spelling of their ballot name at the time of filing.

Once nomination papers are filed, the candidate's designated ballot name is not altered except for changes made by the Office of Elections to ensure consistency and equality.

Audio Ballot

As part of the Help America Vote Act of 2002, we are required to provide an audio version of the ballot to individuals with disabilities. In order to do this, we will be asking you to record your ballot name into a recorder when you file nomination papers.

This recording will be used to assist us in producing the audio ballot and ensuring the correct pronunciation of your name. It will not be the actual recording used for the audio ballot.

Withdrawal of Candidates

Candidates who have filed nomination papers may withdraw their candidacy for the following reasons:

For Any Reasons

Candidates may withdraw for any reason no later than the day immediately following the deadline to file nomination papers. To withdraw, the candidate must submit proper notice to the Chief Election Officer (candidates for federal or state offices) or the appropriate City/County Clerk (candidates for county offices) (HRS §11-117).

For Reasons of Ill Health

Candidates may withdraw for reasons of ill health no later than the 20th day prior to the election. To withdraw, the candidate must submit a written notice accompanied by a statement from a licensed physician indicating that such ill health may endanger the candidate's life (HRS §11-117).

Objection to a Candidate's Nomination Papers

Objection or challenge of a candidate may be made by the Chief Election Officer, the City/County Clerk (in county elections), a registered voter, or an officer of a qualified political party. Except for objections made by an officer of a political party, all objections must be received in writing by the Chief Election Officer or County Clerk not later than 4:30 pm on the 30th day prior to the election (or next working day if that day is a Saturday, Sunday, or holiday). If a political party objects to the nomination papers filed by a party candidate, an office of the party must file a complaint in the Circuit Court for a determination of the objection (HRS §12-8).

Candidates will be notified of any challenge by registered or certified mail. See HRS §12-8 for more specific information on challenges, evidentiary hearings, and decisions.

Other Requirements

In addition to nomination papers, candidates are required to file the following:

Federal Elective Offices

- Campaign finance reports with the Federal Election Commission (see page 35); and
- Personal finance statements with the Office of the Clerk of the U.S. House of Representatives or the Secretary of the U.S. Senate (see page 36).

State Elective Offices

- Campaign spending reports with the Campaign Spending Commission (see pages 37-44); and
- Financial disclosure reports with the State Ethics Commission (see page 45-47).

County Elective Offices

- Campaign spending reports with the Campaign Spending Commission or County Clerk (see pages 37-44); and

- Financial disclosure reports with the County Board of Ethics and/or the County Clerks (see pages 45-47).

Note: *Candidates for Kauai county offices must file financial disclosure reports directly with the County Board of Ethics in the Office of the Mayor.*

Federal candidates must comply with the requirements of the Federal Election Campaign Act of 1971, as amended (the Act). The Act regulates the financing of campaigns for federal office, including candidates for the Office of the President, the United States Senate and the United States House of Representatives. The Act also regulates any person or political committee that makes a contribution or expenditure to influence a federal election. The Federal Election Commission (FEC) administers the Act, which is codified under Title 2 of the United States Code.

Federal Election Commission (FEC)

The FEC is an independent regulatory agency established in 1974 to administer and enforce the Federal Election Campaign Act. The FEC is composed of six voting members, appointed by the President and confirmed by the U.S. Senate.

The FEC administers and enforces the Act, which covers three broad areas:

- Disclosure of campaign finance information reported by political committees;
- Contributions and expenditures made to influence Federal elections; and
- Public funding of Presidential Elections.

Campaign Finance Reports

Federal law defines a candidate for federal office as an individual who seeks nomination or election to that office and who has received contributions or made expenditures in excess of \$5,000, or who has given his or her consent to another person to do so.

An individual exceeding this \$5,000 threshold must, within 15 days, register as a candidate by filing a Statement of Candidacy (FEC Form 2) authorizing a principal campaign committee to raise and spend funds on his/her behalf. The committee must, within 10 days of the filing of the Statement of Candidacy, submit a Statement of Organization (FEC Form 1) and thereafter report its receipts and disbursements on a regular basis. Candidates for U.S. House of Representatives file with the FEC. Candidates for U.S. Senate file with the Secretary of the Senate.

Contact the FEC for more information on the Federal Election Campaign Act or other campaign filing deadlines.

Personal Financial Statement

In addition to the campaign finance reports, federal candidates are required to file personal financial statements. Candidates for U.S. House of Representatives shall file the statement with the Office of the Clerk of the U.S. House of Representatives. Candidates for U.S. Senate shall file statements with the Secretary of the U.S. Senate. The forms are usually sent to candidates by the respective offices.

For More Information

Federal Election Commission
Information Services
Washington, D.C. 20463
Telephone: (800) 424-9530
Fax: (202) 219-8504

or

Federal Election Commission
999 E Street
Washington, D.C. 20463

The State of Hawaii, Campaign Spending Commission, consists of five members appointed by the Governor from nominees selected by the Judicial Council. The Commission through its executive director and staff are responsible for regulating campaign contributions and expenditures in the state. The campaign spending law is set forth in Chapter 11, Part XII of the HRS and the duties of the Commission are provided in Section 11-314, HRS. The Commission is dedicated to the integrity and transparency of the campaign finance process.

The functions of the Commission are to:

- Ensure the timely and accurate reporting of campaign contributions and expenditures by all candidate and noncandidate committees that are required to register and report to the Commission.
- Educate and disseminate information to candidate and noncandidate committees regarding their respective reporting requirements and educate the public as to available campaign finance information.
- Administer the partial public funding program and under Act 244, SCH 2008, the Hawaii County Council Comprehensive Public Funding Project.
- Administer and enforce the provisions of the campaign spending law.

Summary of Campaign Spending Law

An individual who seeks nomination or election to office is a candidate under the campaign spending law if the individual does any of the following:

- Files nomination papers for an office;
- Receives contributions in an aggregate amount of more than \$100 or makes or incurs any expenditures of more than \$100 to bring about the individual's nomination or election to office; or
- Gives consent to another person to receive contributions or make expenditures.

Registering

Candidates must register with the Commission by electronically filing an Organizational Report within ten (10) days from the date a candidate or candidate committee receives

any contributions or makes any expenditure, the aggregate amount of which is more than \$100 or within ten (10) days of filing nomination papers whichever occurs first.

Candidates must first obtain a username and password from the Commission to electronically file an Organizational Report.

Reporting and Recordkeeping

Once registered with the Commission, candidates must electronically file Disclosure Reports of campaign contributions and expenditures. The reporting schedule is available in this manual, from the Commission or on the Commission's website at <http://www.hawaii.gov/campaign>.

- All reports on campaign contributions must contain the amount and date of deposit of the contribution and the name and address of each donor who contributes an aggregate of more than \$100 during an election period. The employer and occupation is additionally required for each donor who contributes an aggregate of \$1,000 or more during an election period. If all the information is not on file, the contribution shall be returned to the donor within thirty days of deposit. Contributions that aggregate \$100 or less during an election period will be reported as a total on the candidate's disclosure report.
- All reports on expenditures must contain the name and address of each payee and the amount, date, and purpose of each expenditure. The candidate's committee must itemize disbursements to consultants, advertising agencies and similar firms, credit card payments, salaries, and candidate reimbursements to permit a reasonable person to determine the ultimate intended recipient of the expenditure and its purpose (HRS §§11-333).
- A manual record of the names and addresses of each donor who contributes more than \$25 must also be kept. (HRS §11-324(e)(3)).

Complete and accurate recordkeeping is essential. Obtain the Campaign Treasurer's Manual for assistance with establishing a recordkeeping system. The manual is available from the Commission or on the Commission's website at <http://www.hawaii.gov/campaign>.

Electronic Filing

All candidates and their committees must electronically file reports on the Candidate Filing System.

Fundraisers

Candidates must notify the Commission by filing a Notice of Intent to Hold a Fundraiser form prior to any fundraiser at which the price or suggested contribution for attending the function is more than \$25 per person.

Contribution Limits

Donors are subject to limits on contributions to a candidate. The contribution limits vary according to the office that a particular candidate is seeking and is applicable to the election period for that office. No person or any other entity shall make contributions to:

- A candidate seeking nomination or election to a two-year office or to the candidate's committee in an aggregate amount greater than \$2,000 in a two-year election period;
- A candidate seeking nomination or election to a four-year nonstatewide office or to the candidate's committee in an aggregate amount greater than \$4,000 in a four-year election period; and
- A candidate seeking nomination or election to a four-year statewide office or to the candidate's committee in an aggregate amount greater than \$6,000 in a four-year election period.

The candidate and the candidate's immediate family:

- A candidate's immediate family is exempt from the above limitations but shall be limited in the aggregate of \$50,000 in the applicable election period. The aggregate amount of \$50,000 includes any loans made for campaign purposes to the candidate by immediate family members.
- A candidate has no limit on the amount of contributions and loans they can make to their own campaign.

Election Period

An election period is defined as the two-year period between general election days if a candidate is seeking nomination or election to a two-year office and the four-year time period between the day after the last general election and the next applicable general election day if a candidate is seeking nomination or election to a four-year office (HRS §11-302, "Election period").

Contributions From Nonresident Individuals And Persons

Contributions from any individual or any person, except for a member of the candidate's immediate family, who is not a resident of the State at the time the contributions are made, including a noncandidate committee organized under the laws of another state and whose participants are not residents of the State, shall not exceed thirty percent of the total contributions received by a candidate or candidate's committee for each election period.

Anonymous Contributions

No person shall make an anonymous contribution of the person's own money or property, or money of another person, to any candidate, party, or committee in connection with a nomination for election, or election. No candidate, party, or committee shall knowingly receive, accept, or retain an anonymous contribution.

No anonymous contribution received by a candidate, party, or committee shall be used or expended, but shall be returned to the contributor. If the contributor cannot be identified, the contribution shall escheat to the Hawaii election campaign fund.

The prohibition does not apply to amounts that aggregate less than \$500 when obtained through multiple contributions made by ten or more persons at the same political function, which is known as the calabash bowl exception. Each such aggregate contribution shall

be reported and accompanied by a description of the means, method, place and date of receipt (HRS §11-353).

False Name Contributions

No person shall make a contribution of the person's own money or property, or money or property of another person to any candidate, party, or committee in connection with a nomination for election, or election, in any name other than the true name of the person who owns the money or who supplied the money or property.

All contributions made in the name of a person other than the true or established name of the actual owner of the money or property shall escheat to the Hawaii election campaign fund (HRS §11-352).

Advertisements

All advertisements must contain the name and address of the candidate, committee, individual, or other entity paying for the advertisement.

- Advertisements in support of a candidate or against a candidate's opponent must also have a prominent notice stating that the advertisement is with or without the approval and authority of the candidate unless the advertisement is paid for by a candidate or committee directly associated with a candidate.
- Bumper stickers and other sundry items are exempt from the disclaimer requirement.

The penalty for violating this section shall be a fine not to exceed \$25 for each advertisement that lacks the required disclaimer and no more than \$5,000 aggregate (HRS §11-391).

Withdrawal

Candidates, committees, and individuals who receive contributions for an election but fail to file nomination papers for that election shall return all residual funds to contributors no later than ninety days after the date on which nominations for that election must be filed. Contributions not returned to contributors shall escheat to the Hawaii election campaign fund.

Candidates, committees, and individuals who withdraw or cease to be candidates or committees because of death, disqualification, or personal reasons shall return all residual funds to the donors no later than ninety days after the candidate or committee ceases to be a candidate or committee. Residual funds not returned to contributors shall escheat to the Hawaii election campaign fund. Contributions shall only be used for expenditures directly related to the candidate's or committee's activities to influence the outcome of the election or nomination for election (HRS §11-381).

Hawaii Election Campaign Fund Public Funding Program

The Hawaii Election Campaign Fund was created during the 1978 Constitutional Convention as Article II, Section 5 of the Hawaii State Constitution. The legislature was directed to "establish a campaign fund to be used for partial public financing of

campaigns of the State and its political subdivisions.” The fund was established by the 1979 legislature under Section 11-421, HRS.

The fund provides partial public funding to all qualified candidates. Public funding may be used to help defray specific campaign expenditures only. Monies for this fund come from the voluntary \$3 state income tax check-off and interest on the fund.

Candidates who voluntarily agree to abide by the campaign expenditure limits may apply for public funds under the public funding program. To be eligible to receive public funding, a candidate must meet the following requirements:

- File an Organizational Report;
- File nomination papers for an office and be qualified to be on the election ballot in a primary or general election;
- Have at least one other qualified candidate as an opponent for the primary or general election for which public funds are sought;
- Voluntarily agree with the campaign expenditure limits established for that office by filing an Affidavit to Voluntarily Agree with Campaign Expenditure Limits.

Note: *Candidates must file the affidavit form with the Commission before or at the time of filing nomination papers with the Chief Election Officer or the City/County Clerk. Once the affidavit has been filed it cannot be withdrawn.*

- File the Statement of Intent to Seek Public Funds. A contribution received before the filing of the statement of intent to seek public funds is not a qualifying contribution; and
- Be in receipt of the minimum amount of qualifying contributions from individual residents of Hawaii and provide the contribution information with the Application for Public Funds.

For information on the Hawaii County Council Comprehensive Public Funding Project pilot, see the Guidebook, video, and FAQs for the project posted at www.hawaii.gov/campaign.

Campaign Expenditure Limits

Campaign expenditure limits are mandatory for a candidate who voluntarily participates in the public funding program. The limits are calculated by multiplying the following amounts provided below by the number of voters in the last preceding General Election registered to vote in each respective district:

Governor	\$2.50
Lieutenant Governor	\$1.40
Mayor	\$2.00
State Senator and State Representative	\$1.40

City/County Councilmember	\$1.40
All Other Offices	\$0.20

The expenditure limits for each office may be obtained from the Commission's website at <http://www.hawaii.gov/campaign>.

The benefits of filing the affidavit form to voluntarily agree with campaign expenditure limits include a discounted filing fee and eligibility to participate in the public funding program.

A candidate who exceeds their expenditure limit must pay the full filing fee and notify all opponents, the Chief Election Officer, and the Commission by telephone and in writing the day the expenditure limits are exceeded. The candidate must also notify all contributors within thirty days of exceeding the limit. Notification to contributors must include an announcement that a tax deduction based on their contribution is no longer available (HRS §11-426).

Qualifying Campaign Contributions

As a condition of receiving public funds, a candidate must be in receipt of the following sum of qualifying contributions from individual residents of Hawaii during the matching payment period involved (HRS §11-219):

Governor	\$100,000
Lieutenant Governor	\$50,000
Mayor, City and County of Honolulu	\$50,000
Mayor, County of Hawaii	\$15,000
Mayor, County of Maui	\$10,000
Mayor, County of Kauai	\$5,000
Prosecuting Attorney, City and County of Honolulu.....	\$30,000
Prosecuting Attorney, County of Hawaii	\$10,000
Prosecuting Attorney, County of Kauai	\$5,000
City Council, City and County of Honolulu	\$5,000
County Council, County of Hawaii	\$1,500
County Council, County of Maui	\$5,000
County Council, County of Kauai	\$3,000
State Senator	\$2,500
State Representative.....	\$1,500
OHA Trustee	\$1,500

A qualifying campaign contribution is defined as an aggregate monetary contribution of \$100 or less, by an individual resident of Hawaii during any matching payment period. Qualifying contributions do not include loans or in-kind contributions. (HRS §11-302, "Qualifying campaign contribution")

A candidate shall obtain the minimum amount of qualifying contributions only once for the election period. After the candidate obtains the minimum amount of qualifying campaign contributions, the candidate shall be entitled to receive public funds for each election that the candidate's name appears on the ballot:

- The minimum payment in an amount equal to the qualifying campaign contributions; and
- Payments of \$1 for each \$1 of qualifying contributions in excess of the minimum amount of qualifying contributions;

provided that the candidate shall not receive more than the maximum amount of public funds available to a candidate; provided further that the candidate shall not receive public funds for a primary election if the candidate does not obtain the minimum amount of qualifying contributions before the date of the primary election.

Maximum Amount of Public Funds

For candidates running for the Office of Governor, Lieutenant Governor, or Mayor, the maximum amount of public funds available to a candidate in any election shall not exceed ten percent of the total expenditure limit as determined under Section 11-423, HRS, for each election.

For candidates running for the Office of State Senator, State Representative, County Councilmember, and Prosecuting Attorney, the maximum amount of public funds available to a candidate in any election shall be fifteen percent of the total expenditure limit as determined under Section 11-423, HRS, for each election.

For candidates running for the Office of Hawaiian Affairs, the maximum amount of public funds available to a candidate shall not exceed \$1,500 in any election year.

The maximum amounts for each office may be obtained from the Commission's website at <http://www.hawaii.gov/campaign>.

Fines and Penalties

The penalty for a late report is \$50 per day the first seven days, \$200 per day thereafter, except for the 2nd Preliminary Primary Report and the Preliminary General Report, for which the penalty is \$300 per day. There is a cap on penalties. (HRS §11-340)

If the Commission determines that a report is substantially defective or deficient, a notice of deficiency is sent to the candidate. If the corrected report is not filed within 14 days of the notice, the penalty is \$50 per day for the first seven days after the 14 day notice period and \$200 per day thereafter. There is a cap on penalties. (HRS §11-340)

The Commission also may issue an order affecting any person violating any laws in the Hawaii Revised Statutes Contributions and Expenditures Subpart and may assess an administrative fine as follows:

1. If a natural person, an amount not to exceed \$1,000 for each occurrence or an amount equivalent to three times the amount of an unlawful contribution or expenditure, whichever is greater, or
2. If a corporation, organization, association, or labor union, it shall be punished by a fine not exceeding \$1,000 for each occurrence; and

3. Whenever a corporation, organization, association, or labor union violates this subpart, the violation shall be deemed to be also that of the individual directors, officers, or agents of the corporation, organization, association, or labor union, who have knowingly authorized, ordered, or done any of the acts constituting violation. (HRS §11-410)

For More Information

State of Hawaii
Campaign Spending Commission
Leiopapa A Kamehameha Building
235 South Beretania Street, Room 300
Honolulu, Hawaii 96813

Telephone: (808) 586-0285
Fax: (808) 586-0288

Website: <http://www.hawaii.gov/campaign>

Neighbor Island residents can reach the Commission by calling the applicable toll-free number and entering the extension 60285:

Hawaii	974-4000
Kauai	274-3141
Lanai	1-800 468-4644
Maui	984-2400
Molokai	1-800 468-4644

The State Ethics Code is a code of conduct for state legislators, state employees (excluding justices and judges), and state board and commission members. It was created to ensure that state officials and employees exhibit the highest standards of ethical conduct. The State Ethics Code is administered by the State Ethics Commission and is set forth in Chapter 84 of the Hawaii Revised Statutes (HRS).

The State Ethics Commission consists of five (5) members appointed by the Governor, who fills each commission position by selecting one (1) of two (2) individuals nominated for each vacancy by the Judicial Council. The Commission, whose primary function is to administer the State Ethics Code, is responsible for:

- Initiating, receiving, and considering charges of alleged violations of the State Ethics Code;
- Issuing advisory opinions to state officials and employees regarding the State Ethics Code's application to specific situations;
- Administering the financial disclosure law (HRS §84-17);
- Administering the gifts disclosure law (HRS §84-11.5);
- Educating state officials, employees, and citizens on matters of governmental ethics; and
- Administering the lobbyists law (Chapter 97, HRS).

Candidate Financial Disclosure Forms Filing Procedures

Candidates for State Offices

All candidates for state elective office are required by state law to file a disclosure of financial interests with the State Ethics Commission. These disclosures are public record and are available for public inspection (HRS §84-17).

The Office of Elections (or the Office of the County Clerk) will provide candidates with CDs containing information about the financial disclosure requirements for candidates, disclosure forms, and instructions. The disclosure form for candidates (Form D-301) is also available on the State Ethics Commission's website at <http://hawaii.gov/ethics/forms/findisc>. Forms may be completed on a computer (as a fillable pdf document), but must be printed out, signed, and mailed or delivered to the

State Ethics Commission. Candidates may also request disclosure forms by contacting the State Ethics Commission at (808) 587-0460. Candidates should file their completed financial disclosure forms with the State Ethics Commission after filing their nomination papers. The State Ethics Commission will send an acknowledgement to candidates upon receipt of their disclosure forms.

Candidates for County Offices

Candidates for county elective offices must file financial disclosure forms with the appropriate Office of the City/County Clerk and/or with the County's Ethics Commission.

Note: *Candidates for County of Kauai contests must file financial disclosure reports directly with the County Board of Ethics in the Office of the Mayor.*

Deadlines

Candidates for State Elective Office Other than Office of Hawaiian Affairs (OHA)

Financial disclosure forms must be filed with the State Ethics Commission. Do not file disclosure forms with the Office of Elections or the Office of the City/County Clerk. Disclosure forms for candidates for state elective office, excluding OHA candidates must be filed and received by the State Ethics Commission no later than Monday, July 23, 2012.

Candidates for OHA

Financial disclosure forms must be filed with the State Ethics Commission. Do not file disclosure forms with the Office of Elections or the Office of the City/County Clerk. Disclosure forms for candidates for the Office of Hawaiian Affairs Board of Trustees must be filed and received by the State Ethics Commission no later than Wednesday, October 17, 2012.

No extensions are granted because of the limited time between the filing deadline and the election. Disclosure forms must be received (not simply postmarked) by the State Ethics Commission by the deadline date. Neighbor island candidates are, therefore, advised to allow sufficient mailing time to meet the deadline. Candidates may also deliver disclosure forms to the State Ethics Commission in person. As required by statute, the Commission shall release a public list of the names of candidates who have not complied with the applicable filing deadlines and shall immediately assess a \$25 late filing penalty fee against those candidates. The Commission may also investigate whether a candidate's financial disclosure statement discloses the interests required to be reported. The Commission may conduct a hearing and issue a public decision as to whether a candidate has complied with the financial disclosure law (HRS §84-17).

Campaign Ethics

Candidates for state elective offices should be aware that there are ethics laws that apply to the political campaign activities of state legislators, employees, and board and commission members. Copies of the Commission's flyer, "Campaign Restrictions For State Officials and State Employees", are available from the State Ethics Commission. To

avoid inadvertent violations of the State ethics laws, refer to HRS Chapter 84 or contact the State Ethics Commission for information and guidance.

For More Information

Hawaii State Ethics Commission
1001 Bishop Street, Suite 970
Honolulu, Hawaii 96813

or

Hawaii State Ethics Commission
P.O. Box 616
Honolulu, Hawaii 96809

Telephone: (808) 587-0460

Fax: (808) 587-0470

E-Mail: ethics@hawaiiethics.org

Website: <http://hawaii.gov/ethics>

1. Do I have to pick up my nomination papers in person?

No, you may authorize someone to pick up your nomination papers on your behalf; however, the authorized person must be able to provide specific information about you, i.e., legal name, date of birth, social security number, home and mailing address, home and business phone numbers, and the contact person's name and phone number.

Once nomination papers are issued, NO alterations/changes will be made. If the information is incorrect, the nomination papers will not be accepted for filing.

2. Why should I pick up my nomination papers in person?

You are responsible for knowing the laws and complying with the filing requirements whether you pick up your nomination papers in person or have an authorized person pick up the papers for you. If you pick up your nomination papers in person, the person issuing the papers will explain the filing process and answer any questions you may have. If you are a first time candidate, we strongly recommend that you pick up your nomination papers in person.

3. What should I do if I lose my nomination papers?

If you lose your nomination papers, contact the office that issued the nomination papers for another set. You must still acquire the required signatures and meet the filing deadline and requirements.

4. What should I do if I decide to run for a different office or under a different political party?

Do not change any information on the nomination papers. Nomination papers that have been altered in any way will not be accepted for filing. If you wish to make a change on the nomination papers, you must request a new set.

5. Can someone other than myself file my nomination papers or can I mail them in?

Our laws do not prohibit a candidate from having another person file his/her nomination papers or from filing papers through the mail; however, we strongly recommend that you file your nomination papers in person to make sure that you

fulfill all of the requirements. Nomination papers submitted by mail must be received by the candidate filing deadline (not post-marked).

Each candidate is required to sign many documents in the nomination process. If any document is incomplete, the problem can be easily rectified when a candidate files in person. For example, a candidate must subscribe to an Oath of Loyalty/Affirmation before a notary public or public official authorized to issue oaths. All of the candidate filing offices have a notary (or have access to one) or officials authorized to issue oaths. As such, it is much easier for a candidate to file in person and have the oath/affirmation administered at the time the candidate files his/her nomination papers.

6. What do I need when I come in to file my nomination papers?

You will need the following items when you come in to file your nomination papers.

- Your original nomination papers containing at least the minimum signatures required;
- Your filing fee in the form of cash, money order, certified check, or cashier's check (state or federal candidates filing on the neighbor islands are requested to pay by money order or certified/cashier's check);

Note: *Personal/Campaign Checks will not be accepted.*

- The *Affidavit to Voluntarily Agree with Campaign Expenditure Limits* or the Campaign Spending receipt if you wish to qualify for the discounted filing fee; and
- A current identification containing your picture and signature (such as driver license or State I.D.) is required when you take the Oath of Loyalty/Affirmation on the nomination papers.

7. May I change the way my name will appear on the ballot after I file my nomination papers?

No. Once you file your nomination papers and pay your filing fee, you will not be allowed to alter your nomination papers in any way. This includes changing the way your name will appear on the ballot as designated on your nomination papers. Make sure your name is spelled correctly before you file your nomination papers and pay the filing fee.

8. What do I have to do if I change my mind about being a candidate after filing nomination papers?

Once you file your nomination papers, you must officially withdraw from the election by submitting a request to withdraw to the Chief Election Officer, or to the City/County Clerk (in the case of county offices), by the withdrawal deadlines (see 2012 Election Calendar).

You may withdraw for any reason up to 4:30 p.m. on the day immediately following the close of filing. After this deadline, you have until the twentieth day prior to the election to withdraw for reasons of ill health only. Requests to withdraw for reasons of ill health must be accompanied by a statement from a licensed physician indicating that such ill health may endanger the candidate's life.

9. May I add additional signatures to my nomination papers after I file them?

No. Once you file your nomination papers and pay your filing fee, you will not be allowed to alter your nomination papers in any way. This includes adding additional signatures to your nomination papers. You are responsible for ensuring that the people who sign your nomination papers are qualified voters and reside in the correct district before they sign your nomination papers. Make sure your nomination papers contain the required number of signatures of qualified voters in the district before you file your nomination papers.

10. What happens if some of the people who sign my nomination papers are not registered voters, or do not live within the district I seek to represent?

Signatures of persons who are not properly registered to vote or who do not reside in the correct district will not be counted. The Office of Elections, or the Office of the City/County Clerk, will verify that the people who sign your nomination papers are properly registered and eligible to sign your nomination papers before you file the nomination papers.

Obtain more than the required number of signatures and file your nomination papers early to avoid the consequence of insufficient signatures. If you wait until the last day to file your nomination papers and the number of signatures, for any reason, are insufficient, you may not be qualified to be a candidate. If you file early, and the number of valid signatures on your nomination papers is insufficient, you will have an opportunity to obtain additional signatures before filing your nomination papers.

11. What happens if my nomination papers do not have the required number of signatures or are incomplete in any way?

State law prohibits the Chief Election Officer or City/County Clerk from accepting or filing any nomination paper that is incomplete or does not have the required number of valid signatures.

12. If I am running as a partisan candidate, by what date do I have to be a member of the political party?

You must be a member of the political party from which you seek office before you file your nomination papers. Our state law requires that you sign a certification, by self-subscribing oath, which states that you are a member of the specific party when you file your nomination papers. If you are not a member of the party when you file nomination papers, you may be disqualified on that basis.

13. What if I change my residence address after I file nomination papers?

Once you file your nomination papers and pay your filing fee, you may not alter your nomination papers in any way. This includes changing the residence address listed on your nomination papers. Although we will not make a change directly on the nomination papers, we will attach your written notification of your change of address to your nomination papers.

If the list of candidates has not been certified, you may request that the information in that list be updated. If the list has already been certified, then we will not make the change to that list. We will, however, retain the change of residence address as part of your record.

14. If I run as a nonpartisan candidate in a partisan office, will I automatically go on the General Election ballot if I win my primary?

No, nonpartisan candidates who seek a partisan office must qualify for the General Election. To qualify for the General Election, a nonpartisan candidate must:

- Receive at least ten percent (10%) of the total votes cast for the office for which the person is a candidate at the Primary Election; or
- Receive a vote equal to the lowest vote received by the partisan candidate who was nominated in the Primary Election for that office.

Note: *If more nonpartisan candidates qualify to run in the General Election than there are offices (seats) available, there shall be certified as candidates those receiving the highest number of votes, but not more candidates than there are offices (seats) to be elected.*

The nonpartisan qualification provisions listed above do not apply to candidates running in the following nonpartisan elections: City & County of Honolulu offices, County of Hawaii offices, County of Kauai offices, County of Maui offices, Board of Education offices, and Office of Hawaiian Affairs (OHA) offices.

15. When and why must an elected official resign from public office?

The resignation requirements apply only to State and County offices. A State or County elected official must resign from public office if the official is seeking another State or County elective office and the elected official's term does not end at the same election. For more specific information, call the Office of Elections at 453-VOTE (8683). Neighbor island residents may call toll free by dialing 1-800-442-VOTE (8683).

16. In what order will candidate names appear on the ballot?

Our laws require that the names of the candidates shall be placed upon the ballot for their respective offices in alphabetical order by the candidate's last name except for those cases listed below.

Candidate Vacancies

The name of the replacement candidates shall be printed in an available and appropriate place on the ballot, not necessarily in alphabetical order; and

Vice President or Lieutenant Governor

In the general election, the name of the candidate for Vice President or Lieutenant Governor shall be placed immediately below the name of the candidate for president or governor, respectively, of the same political party. The teams are placed on the ballot in the order of the last name of the candidate for president and governor, respectively.

17. How can I get a list of candidates?

Lists of applicants and candidates are updated and available every Thursday afternoon during the candidate filing period on the Office of Elections' web page located at <http://www.hawaii.gov/elections>.

The list is also available at the Office of Elections and the Offices of the City/County Clerks during the candidate filing period. These lists will not be mailed or faxed by any of the offices.

18. Where can I get preprinted label?

Preprinted mailing labels may be obtained for a fee from various service bureaus. The preprinted mailing labels may be obtained and used for election purposes only. Contact the Office of your City/County Clerk for a listing of service bureaus.

19. How are candidates for County of Hawaii offices elected?

Candidates for County of Hawaii run in nonpartisan Special Election(s) held in conjunction with regularly scheduled election(s).

First Special Election

A candidate who receives a majority of votes cast for the office in the First Special Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election. If no candidate receives a majority of the votes cast for the office in the First Special Election, a Second Special Election will be held in conjunction with the General Election.

Second Special Election

The two candidates who received the most votes in the First Special Election will appear in the Second Special Election. The candidate who receives the highest number of votes in the Second Special Election is deemed elected.

20. How are candidates for County of Maui offices elected?

Candidates for County of Maui offices run in nonpartisan Special Elections held in conjunction with the regularly scheduled elections.

First Special Election

If there are two or fewer candidates, the names of the candidates shall appear only on the ballot for the Second Special Election, held in conjunction with the General Election.

The two candidates receiving the highest number of votes for each seat shall be placed on the ballot for the Second Special Election; provided that if two or more candidates tie for the highest number of votes received in the First Special Election, the names of the candidates tied for the highest number of votes shall be placed on the ballot for the Second Special Election. Further, if a single candidate receives the highest number of votes in the First Special Election and two or more candidates tie for the second-highest number of votes received, the names of the candidate receiving the highest number of votes and the candidates tied for the second-highest number of votes shall be placed on the ballot for the Second Special Election.

Second Special Election

The candidate receiving the highest number of votes shall be deemed elected. If there is no more than one candidate for a seat, such person shall be deemed elected regardless of the number of votes received.

21. How are candidates for County of Kauai offices elected?

Candidates for County of Kauai offices run in nonpartisan election(s) held in conjunction with the regularly scheduled election(s).

First Nonpartisan Election

Mayor and Prosecuting Attorney: A candidate who receives a majority of votes cast (50% plus one) for the office in the First Nonpartisan Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Nonpartisan Election.

At-Large Councilmembers: The candidates receiving the highest number of votes shall be elected to fill each at-large council office provided the candidate or candidates receive at least thirty percent (30%) of all votes cast for all at-large council offices in the First Nonpartisan Election, held in conjunction with the Primary Election.

Second Nonpartisan Election

Mayor and Prosecuting Attorney: If no candidate receives a majority (50% plus one) of the votes cast for the office in the First Nonpartisan Election, a Second Nonpartisan Election will be held in conjunction with the General Election. The two candidates who receive the most votes in the First Nonpartisan Election will appear in the Second Nonpartisan Election. The candidate who receives the most votes at the Second Nonpartisan Election is deemed elected.

At-Large Councilmembers: If any at-large council office remains to be filled after the First Nonpartisan Election, two candidates for each vacant at-large council

office shall be placed on the ballot. The names of the candidates receiving the highest number of votes cast in the First Nonpartisan Election, other than the name of any candidate elected after the First Nonpartisan Election, shall be placed on the ballot until a sufficient number of candidates are on the ballot as provided in this subsection. At the Second Nonpartisan Election, the candidates receiving the highest number of votes for each vacant at-large office shall be elected.

22. How are candidates for City and County of Honolulu elected?

Candidates for City offices run in nonpartisan Special Election(s) held in conjunction with the regularly scheduled election(s).

First Special Election

A candidate who receives a majority of votes cast (50% plus one) for the office in the First Special Election, held in conjunction with the Primary Election, is deemed elected. There will be no Second Special Election. If no candidate receives a majority (50% plus one) of the votes cast for the office in the First Special Election, a Second Special Election will be held in conjunction with the General Election.

Second Special Election

The two candidates who received the most votes in the First Special Election will appear in the Second Special Election. The candidate who receives the highest number of votes at the Second Special Election is deemed elected.

Office of Elections
State of Hawaii
802 Lehua Avenue
Pearl City, Hawaii 96782

Telephone: (808) 453-VOTE (8683)
Neighbor Islands: (800) 442-VOTE (8683)
Fax: (808) 453-6006
E-mail: elections@hawaii.gov
Web Page (URL): <http://www.hawaii.gov/elections>

Available Election Material

- Election Laws of Hawaii Handbook
- Campaign Spending Forms and Materials
- State Ethics Financial Disclosure Forms
- Political Boundary Maps (\$6.00 each)
- Written Description of District and Precinct Boundaries
- Factsheets Containing Information of Elections
- List of Applicants/Candidates for 2012 Elective Offices
- Wikiwiki Voter Registration Forms
- Results of Votes Cast 1959 to 2006
- Results of Votes Cast 1968 and 1978 (Constitutional Convention)

For Use in the Office of Elections

- Hawaii Revised Statutes
- Session Laws of Hawaii (most years)
- 1973, 1984, 1991 Report and Reapportionment Plan
- Voter Register (for election purposes only)
- Political Boundary Maps

County of Hawaii
Office of the County Clerk
25 Aupuni Street, Suite 1502
Hilo, Hawaii 96720

Telephone: (808) 961-8277
Fax: (808) 961-8673
E-mail: hilolect@co.hawaii.hi.us
Web Page: <http://www.hawaiicounty.gov>

Financial Disclosure Statements

Hawaii County Code, Chapter 2, Article 15, Section 2-91.1, requires that all elected officials and candidates for county office must file financial disclosure statements with the Office of the County Clerk - Elections Division. Candidates for elective county office, including incumbents, shall file statements within (10) working days after the deadline for filing for office. Additionally, elected officials must file disclosure statements within (20) working days after taking the oath of office and on/or before January 31 of each year thereafter until the end of the term of office.

Campaign Sign Regulations

Hawaii County Code, Chapter 3, Section 3-2, Definitions:

(8) "Sign" shall mean any sign, device, figure, painting, drawing, message, placard, poster, billboard, ground sign, wall sign, roof sign, illuminated sign, projecting sign, temporary sign, marquee sign, awning, canopy, and street clock, and includes any announcement, declaration, demonstration, display, illustration or insignia used to advertise or promote the interests of any person when it is placed out of doors on real property in buildings or structures on real property or buildings in view of the general public.

Hawaii County Code, Chapter 3, Section 3-32(a)(1), Exempt Signs:

(D) Political Campaign Signs: Any sign or poster not exceeding one square foot in area, announcing a candidate seeking political office; provided that the sign or poster is permitted only for a period of 60 days preceding a general or special election and for a period of 10 days following such election. Note: Act 194, signed into law on June 18, 2003 amended HRS Sec. 44-112(1) to remove any durational limits on the posting of political signs. As such, any durational limits on the posting of political campaign signs in

the County Code, are no longer applicable. Conformance with all other sign requirements addressed by the building and traffic provisions of the County Code, will still be required. For further information, please contact the Department of Public Works at 961-8331 or a private attorney.

Available Election Material

- Election Laws of Hawaii Handbook
- Campaign Spending Forms & Materials
- State Ethics Financial Disclosure Forms
- County Disclosure of Financial Interests Forms
- List of Polling Places
 - Regional and Island Maps (\$5.50)
- List of Registered Voters
 - Council Districts (\$10.00/district)
 - Representative Districts (\$12.00 district)
 - Senatorial District (\$24.00/district)
- Purchase of Voter Registration Data File for Election Purposes only (Contact the County Clerk for more information).

For Use in County Clerk's Office

- 1999-2006 Reports of Campaign Contributions & Expenditures
- Results of Votes Cast
- Voter Register (for public use and election purposes only)

County of Maui
Office of the County Clerk
200 South High Street, Room 708
Wailuku, Hawaii 96793

Telephone: (808) 270-7749
Fax: (808) 270-7171
E-mail: County.clerk@mauicounty.us
Web Page (URL): <http://www.mauicounty.gov>

Financial Disclosure Statements

Section 10-3 of the Maui County Charter requires that all candidates for elective county office file a financial disclosure statement concurrently with the filing of nomination papers.

Campaign Sign Regulations

Maui County Code, Chapter 16.12A, Noncommercial Signs:

Section 16.12A.030, Signs Authorized for all districts without a permit: For all districts, signs or posters not exceeding eighteen square feet in display surface, announcing candidates seeking political office are authorized.

Available Election Material

- Campaign Spending Forms & Materials
- State Ethics Financial Disclosure Forms
- County Disclosure of Financial Interests Forms
- Purchase of Voter Registration Data File for Election Purposes Only (Contact the County Clerk for more information)
- Election Maps (Contact the County Clerk for more information)

For Use in County Clerk's Office

- Results of Votes Cast
- Voter Register (for public use and election purposes only)

Office of the County Clerk
4386 Rice Street, #101
Lihue, Hawaii 96766

Telephone: (808) 241-4800
Fax: (808) 241-6207
E-Mail: elections@kauai.gov
Web Page (URL): <http://www.kauai.gov/Default.aspx?tabid=84>

Financial Disclosure Statements

Section 3-1.9 of the Kauai County Code requires that candidates for elective county office shall, within (7) seven days of filing nomination papers, file with the Board of Ethics a financial disclosure statement. Upon assuming office, newly elected officials shall file an amended financial disclosure statement within (30) days of assuming office.

Campaign Sign Regulations

Ordinance Number 499 (Amending Chapter 15, Article 4 of the Kauai County Code)
Relating to Outdoor Signs:

Section 15-4.6 Signs Not Requiring A Permit

The following types of signs are exempt from the permit requirements of this Article, but must comply with the requirements of Section 15-4.4; Section 15-4.7 (a) (obstructing free ingress and egress), (b) (interfering with public alarms, signals or signs), (c) (proper construction) and (l) (measurement of signs); and Section 15-4.10 (penalties).

Temporary Signs:

Political Campaign Signs. Any sign which:

- Identifies the headquarter of a political candidate. Only one sign per candidate shall be allowed, and it shall not exceed twenty-four (24) square feet.
- Identifies and/or provides information about a political candidate or issue to be voted upon. It shall not exceed three (3) square feet, nor be posted more than forty-five (45) days prior to the date of the election to which it pertains, or within the right-of-way boundary, or be visible from, any federal-aid or state highway, nor remain posted more than ten (10) days after the election to which it pertains.

The 1984 Council Resolution Number 173 (as amended) urges all candidates for elected office on Kauai to voluntarily and unanimously refrain from roadside political sign-holding other than on election day and other than by themselves individually.

Available Election Material

- Election Laws of Hawaii Handbook
- Campaign Spending Forms & Materials
- State Ethics Financial Disclosure Forms
- Certificate of Registration (\$1.00)
- Purchase of Voter Registration Data File for Election Purposes Only (Contact the County Clerk for more information)
- Purchase of Voter Registration Street Directory (Contact the County Clerk for more information)
- Election Maps (Contact the County Clerk for more information)

For Use in the County Clerk's Office

- Results of Votes Cast
- Voter Register (for public and election purposes only)

Office of the City Clerk
Honolulu Hale
530 South King Street, Room 100
Honolulu, Hawaii 96813

Telephone: (808) 768-3800
Fax: (808) 768-3835
Web Page (URL): <http://www.honoluluelections.us>

Financial Disclosure Statements

Section 3-8.4 of the Revised Ordinances of Honolulu requires that candidates for City & County of Honolulu elective offices, including incumbents, file financial disclosure statements with the Office of the City Clerk within (10) working days after the deadline for filing for office. Additionally, elected officials must file financial disclosure statements within (20) working days after taking the oath of office on/or before January 31 of each year thereafter until the end of the term of office.

Campaign Sign Regulations

General Regulations

Political campaign signs fixed to the ground or to a structure were prohibited under Section 21-3.90-2(d) of the Land Use Ordinance (LUO). This prohibition, however, was found unconstitutional by the courts and was repealed by the Council. Therefore, no regulation exists at present.

Campaign Headquarters Sign

Signs identifying the campaign headquarters of a political candidate or issue are permitted, and are regulated as "business signs." Such signs must be located on the premise of the headquarters, and are subject to the LUO sign regulations regarding number, type, and size for the underlying zoning district (see Section 21-3.90-3).

Signs associated with campaign headquarters which are located in the following places are regulated:

- On the lot outside the campaign office; or

- On the exterior face of the building where the campaign headquarters is located; or directly fixed to a window (inside or outside) of the campaign office when they can be seen from a public right-of-way or the parking lot of an adjoining lot.

Before installing a headquarters sign, it is necessary to obtain a sign permit issued by the Planning and Permitting Department located in the Honolulu Municipal Building. Detailed information on such signs and interpretation or clarification of the rules may be obtained over the business counter or by calling the Planning and Permitting Department, Permit Issuance Section, at 768-8000.

Bumper Stickers

The LUO does not regulate advertisements fixed to a motor vehicle.

Hand Carried Signs

The LUO does not regulate political signs carried by individuals.

Aerial Advertisement

No person shall use any type of aircraft or other self-propelled or buoyant airborne object to display in any manner or for any purpose whatsoever any sign or advertising device. For the purpose of this section, a “sign or advertising device” includes, but is not limited to, a poster, banner, writing, picture, painting, light, model, display, emblem, notice, illustrations, insignia, symbol, or any other form of advertising sign or device.

Available Election Material

- Election Laws of Hawaii Handbook
- Campaign Spending Forms & Materials
- Ethics Commission Forms
- Certificate of Registration (\$0.50)
- Voter Registration Street Directory (\$5.00) (Contact the City Clerk for more information)
- Council District Maps Description Book (\$10.00)

For Use in City Clerk’s Office

- Results of Votes Cast
- Voter Register (for public and election purposes only)

General Qualifications

Each candidate must be:

- A United States Citizen;
- A resident of Hawaii; and
- 18 years of age.

A person sentenced for a felony may not become a candidate from the time of the person's sentence until the person's final discharge (HRS §831-2).

Federal Offices

Office	Qualifications	Nomination Requirements
President/Vice President Elected as one ticket Statewide Term: Four years Jan 2013 – Jan 2017 Compensation: President: \$400,000 Vice President: \$221,000	<ul style="list-style-type: none"> • Natural citizens of the United States; • Resident of the U.S. for 14 years prior to the election; and • 35 years of age. 	<ul style="list-style-type: none"> • Established national party files sworn application with Chief Election Officer by 4:30 pm on September 7, 2012; or • Party or group not qualified to place candidates on ballot files sworn application and petition with Chief Election Officer by 4:30 pm on September 7, 2012.
U.S. Senator 1 Seat Statewide Term: Six years Jan 2013 – Jan 2019 Compensation: \$169,600	<ul style="list-style-type: none"> • U.S. Citizen 9 years prior to election; • Resident of Hawaii; and • 30 years of age. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 25 signatures of registered voters of Hawaii by 4:30 pm, June 5, 2012; and • Submit filing fee: \$75.00.

Office	Qualifications	Nomination Requirements
U.S. Representative 2 Seats Congressional Districts I and II Term: Two years Jan 2013 – Jan 2015 Compensation: \$169,600	<ul style="list-style-type: none"> • U.S. Citizen 7 years prior to election; • Resident of Hawaii; and • 25 years of age. 	File nomination papers containing not less than 25 signatures of registered voters of Congressional District by 4:30 pm, June 5, 2012; and * Submit filing fee: \$75.00.

State Offices

Office	Qualifications	Nomination Requirements
State Senator 25 of 25 Seats Term: Four years Nov 2012 – Nov 2016 Compensation: Senate President: \$43,400 plus \$7,500 allowance Senate Member: \$35,900 plus \$7,500 allowance	<ul style="list-style-type: none"> • Resident of Hawaii for not less than 3 years; and • Qualified voter of the appropriate State Senatorial District. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of State Senatorial District by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00. (Discounted fee: \$25.00)
State Representative 51 of 51 Seats Term: Two years Nov 2012 – Nov 2014 Compensation: House Speaker: \$43,400 plus \$7,500 allowance House Member: \$35,900 plus \$7,500 allowance	<ul style="list-style-type: none"> • Resident of Hawaii for not less than 3 years; and • Qualified voter of the appropriate State Senatorial District. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of State House District by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00. (Discounted fee: \$25.00)

Office	Qualifications	Nomination Requirements
Board of Trustees, Office of Hawaiian Affairs (OHA)⁴ 4 of 9 Seats, Nonpartisan Offices 1 – no island residency required 1 – resident of Hawaii 1 – resident of Kauai 1 – resident of Molokai Term: Four years Nov 2012 – Nov 2016 Compensation: Chairperson: \$37,000 Trustee: \$32,000	<ul style="list-style-type: none"> • Registered voter of Hawaii; and • Resident of respective island for seats requiring residency. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 25 signatures of registered voters of Hawaii by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00 (Discounted fee: \$25.00)

County of Hawaii Office

Office	Qualifications	Nomination Requirements
Hawaii Mayor 1 Seat, Nonpartisan Office Term: Four Years Dec 2012 – Dec 2016 Compensation: \$76,848	<ul style="list-style-type: none"> • Qualified voter of the County of Hawaii for at least one (1) year prior to election; and • Limited to a maximum of two (2) consecutive full terms. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of the County of Hawaii by 4:30 pm, June 5, 2012; and • Submit filing fee: \$500.00 (Discounted fee: \$50.00)
Hawaii County Council All 9 Seats, Nonpartisan Offices Term: Two years Dec 2012 – Dec 2014 Compensation: Chairperson: \$43,574 Member: \$39,240	<ul style="list-style-type: none"> • Qualified voter of Hawaii County for at least 1 year prior to election; and • Resident and registered voter of Council District at least 90 days prior to Primary Election. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of the appropriate Council District by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00 (Discounted fee: \$25.00)

⁴ The next scheduled election for OHA Board of Trustees with terms not expiring in 2012 will be in 2014.

Office	Qualifications	Nomination Requirements
Hawaii Prosecuting Attorney 1 Seat, Nonpartisan Office Term: Four Years Dec 2012 – Dec 2016 Compensation: \$74,064	<ul style="list-style-type: none"> • Qualified voter of Hawaii County for at least 1 year prior to election; and • Licensed attorney in good standing before the Supreme Court of the State of Hawaii. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of the County of Hawaii by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00 (Discounted fee: \$25.00)

County of Maui⁵

Office	Qualifications	Nomination Requirements
Maui County Council All 9 Seats, Nonpartisan Offices 1 – East Maui 1 – West Maui 1 – Wailuku-Waihee-Waikapu 1 – Kahului 1 – South Maui 1 – Makawao-Haiku-Paia 1 – Upcountry 1 – Lanai 1 – Molokai Term: Two years Jan 2013 – Jan 2015 Compensation: Chairperson: \$71,500 Member: \$66,500	<ul style="list-style-type: none"> • Qualified voter of Maui County; • Resident of Maui County at least 90 days prior to filing; and • Resident of Council District (residency area). 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of the County of Maui by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00 (Discounted fee: \$25.00)

⁵ The next scheduled election for County of Maui Mayor will be in 2014.

County of Kauai⁶

Office	Qualifications	Nomination Requirements
Kauai County Council All 7 Seats, Nonpartisan Offices At-Large Countywide Term: Two years Dec 2010 – Dec 2012 Compensation: Chairperson: \$63,879 Member: \$56,781	<ul style="list-style-type: none"> • Qualified voter of Kauai County at least 2 years prior to election. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of the County of Kauai by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00 (Discounted fee: \$25.00)
Kauai Prosecuting Attorney 1 Seat, Nonpartisan Office Term: Four Years Dec 2012 – Dec 2016 Compensation: \$100,313	<ul style="list-style-type: none"> • Qualified voter of Hawaii County for at least 1 year prior to election; • Licensed attorney in good standing before the Supreme Court of the State of Hawaii; and • Practiced law for at least 3 years in the State of Hawaii. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of the County of Kauai by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00 (Discounted fee: \$25.00)

City and County of Honolulu

Office	Qualifications	Nomination Requirements
Honolulu Mayor 1 Seat, Nonpartisan Office Term: Four Years Jan 2013 – Jan 2017 Compensation: \$136,428 Subject to 5% salary reduction	<ul style="list-style-type: none"> • Qualified voter of the City and County of Honolulu; and • 30 years of age. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of the City and County of Honolulu by 4:30 pm, June 5, 2012; and • Submit filing fee: \$500.00 (Discounted fee: \$50.00)

⁶ The next scheduled election for County of Kauai Mayor will be in 2014.

Office	Qualifications	Nomination Requirements
Honolulu City Council⁷ 4 of 9 Seats, Nonpartisan Offices Districts 1, 3, 5, 7, and 9 Term: Four years Jan 2013 – Jan 2017 Compensation: Chairperson: \$58,596 Member: \$52,446 Subject to 5% salary reduction	<ul style="list-style-type: none"> • Resident and registered voter of the appropriate Council District. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of appropriate Council District by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00 (Discounted fee: \$25.00)
Honolulu Prosecuting Attorney 1 Seat, Nonpartisan Office Term: Four Years Dec 2012 – Dec 2016 Compensation: \$129,312 Subject to 5% salary reduction	<ul style="list-style-type: none"> • Qualified voter of the City and County of Honolulu; • Licensed attorney in good standing before the Supreme Court of the State of Hawaii; • Practiced law for five years; and • Actively involved in criminal cases for three years within 10 years immediately preceding election. 	<ul style="list-style-type: none"> • File nomination papers containing not less than 15 signatures of registered voters of the City and County of Honolulu by 4:30 pm, June 5, 2012; and • Submit filing fee: \$250.00 (Discounted fee: \$25.00)

⁷ The next scheduled election for City and County of Honolulu Councilmembers with terms not expiring in 2012 will be in 2014.

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